IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 8TH JANUARY 2007 / 18TH PAUSHA 1928

Bail Appl..No. 24 of 2007(A)

.....
O.R.NO.9/05 OF PALAPPALLY FOREST RANGE.

: PETITIONER/ACCUSED

ABOOBACKER.P.P.,
PANDANAPPILLY HOUSE, ELIKODU P.O.,
PALAPPILLY.

BY ADV. SRI.A.C.DEVY

RESPONDENT: COMPLAINANT

STATE OF KERALA, REP. BY PUBLIC
PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 08/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

- - - - - - - - - - - - - - - - - -

BAIL APPLICATION NO.24 OF 2007

- - - - - - - - - ----------------------- - - - - - -

DATED THIS THE 8th DAY OF JANUARY, 2007

O R D E R

Petitioner who is the 4th accused in O.R.No.9/05 of Palappilly Forest Range for offences punishable under sections 2(2), (16), (20), 31, 35, 36, 44, 49A, 50 and 51 of the Wild Life Protection Act, seeks anticipatory bail.

2. Learned Public Prosecutor opposed the application submitting, inter alia, that the Forest Officials after conducting a search in the house of one George (1st accused), seized 5 bottles of suspected bear fat, 100 gms of dried meat of sambar deer that four pieces of sambar antler were also recovered from the house of one Thressia and that on interrogation of the first accused he had revealed the complicity of the 4th accused along with him two years prior to his arrest.

3. Anticipatory bail cannot be granted in a case of this nature. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail, within two eeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed after taking note of the fact that the occurrence in which the petitioner is alleged to have been involved took place two years ago.

With this direction, this petition is disposed of.

V.RAMKUMAR, JUDGE

dsn